

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

POLSKIE LINIE LOTNICZE LOT S.A.,

Plaintiff,

vs.

THE BOEING COMPANY,

Defendant.

Case No. 2:21-CV-01449-RSM

STIPULATED MOTION AND ORDER
FOR LEAVE TO FILE BOEING'S
REDACTED PLEADING (MOTION TO
DISMISS)

INTRODUCTION

Pursuant to Local Civil Rule 5(g)(3)(B)(iii), Defendant The Boeing Company ("Boeing") and Plaintiff Polskie Linie Lotnicze LOT S.A. ("LOT") respectfully move the Court to grant LOT leave to file a redacted version of Boeing's Motion to Dismiss (currently under seal) and maintain the unredacted copy under seal. The proposed public version of the Motion, with redactions applied for the Court's convenience, is attached as Exhibit A.

PROCEDURAL HISTORY

The Parties jointly follow up on their prior request to seal Boeing's Motion to Dismiss, which the Court granted on December 13, 2022. *See* ECF No. 52. The Parties now agree that of Boeing's

1 24-page Motion to Dismiss LOT's First Amended Complaint, only eight sentences that directly cite
2 or summarize terms of the Aircraft General Terms Agreement ("AGTA") contract should remain
3 under seal to protect Boeing and its customers' confidential contracts.

4 **LEGAL STANDARD AND ARGUMENT**

5 This stipulation adopts and incorporates by references the parties' Stipulated Motion and
6 Order for Leave to File Document Under Seal at ECF No. 50. For the reasons set out in the Stipulated
7 Motion, the particular contractual terms of the AGTAs excerpted or summarized in Boeing's Motion
8 to Dismiss LOT's First Amended Complaint (which is itself filed under seal, with the contract terms
9 redacted)—should be redacted in the public filing. Redacting only a few sentences is the least
10 restrictive method available to ensure protection of Boeing's confidential and sensitive information.
11 *See* LCR 5(g)(3)(B)(iii) (requiring the least restrictive method to ensure protection of material to be
12 sealed). Because there are no less restrictive alternatives available, the parties agree that redaction
13 is appropriate.

14 **CONCLUSION**

15 For the foregoing reasons, the Parties respectfully request that this Court grant Boeing leave
16 to file its Motion to Dismiss LOT's First Amended Complaint, attached as Exhibit A (with the
17 proposed redactions applied), leaving sealed only the few sentences that disclose the contents of
18 Boeing's proprietary business contract (the AGTA).

19 IT IS SO STIPULATED by and between the Parties.
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1 DATED: December 29, 2022

2 By: s/ Mirin Park
3 Mirin Park, WSBA No. 57983

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16 **ORDER**

17 Based upon the foregoing Stipulation, the Court hereby:

18 ORDERS, ADJUDGES AND DECREES that the redacted copy of Boeing's
19 Motion to Dismiss LOT's First Amended Complaint may be filed on the docket.

20 IT IS SO ORDERED.

21 DATED this 3rd day of January, 2023.

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25 RICARDO S. MARTINEZ
26 UNITED STATES DISTRICT JUDGE

1 Presented by:

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